

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRYCE HAMILTON NEWBREAST,

Defendant.

CR-10-17-GF-BMM

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on March 22, 2023. (Doc. 91.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on March 21, 2023. (Doc. 89) The United States accused Bryce Newbreast, (Newbreast) of violating his conditions of supervised release by failing to successfully complete his sex offender treatment program. (Doc. 91.)

At the revocation hearing, admitted Newbreast admitted that he had violated the terms of his supervised release by failing to successfully complete his sex offender treatment program. (Doc. 89.) Judge Johnston found that the violation Newbreast admitted prove serious and warrants revocation of his supervised release and recommends a custodial sentence of 8 months, with 65 months of supervised release to follow with the first 180 days of his supervised release in a residential re-entry center. (Doc. 91.) Newbreast was advised of his right to appeal and his right to allocute before the undersigned. (Doc. 89.) The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 91) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Bryce Hamilton Newbreast be sentenced to the Bureau of Prison for 8 months with 65 months of supervised release to follow. Newbreast will spend the first 180 days of his supervised release in a residential re-entry center.

DATED this 6th day of April, 2023.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United State District Court